

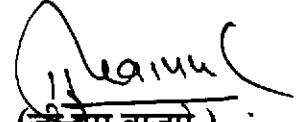
20100918144611001

मिरा-भाईंदर महानगरपालिकेच्या मंजूर विकास नियंत्रण
नियमावलीत नियम क्र.१, टेबल क्र.३ व नियम क्र.५३ मध्ये
District Commercial Centre/Town Sub Centre
या आरक्षणांचा विकास समावेशक आरक्षणांच्या माध्यमातून
अनुज्ञेय करणे आणि **Comercial Zone (C-२ Zone)** मध्ये
अनुज्ञेय वापरांच्या नियमात बदल करणेबाबत.
महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ चे कलम
३७ (२) अन्वये मंजूर फेरबदल

महाराष्ट्र शासन,
नगर विकास विभाग,
शासन निर्णय क्रमांक: टिपीएस-१२०८/१६२६/प्र.क्र.३९२/०८/नवि-१२
मंत्रालय, मुंबई : ४०० ०३२,
दिनांक : १३ सप्टेंबर, २०१०.

शासन निर्णय:- सोबत जोडलेली इंग्रजी अधिसूचना महाराष्ट्र शासनाच्या राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,


(जी.रेम.वाजपे)
कार्यासन अधिकारी

प्रति,
विभागीय आयुक्त, कोकण विभाग, कोकण भवन, नवी मुंबई.
आयुक्त, मिरा-भाईंदर महानगरपालिका, भाईंदर.
संचालक, नगररचना, महाराष्ट्र राज्य, पुणे,
जिल्हाधिकारी, ठाणे.
उपसंचालक, नगर रचना, कोकण विभाग, कोकण भवन, नवी मुंबई
सहाय्यक संचालक, नगर रचना, ठाणे शाखा, ठाणे.
व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई

(त्यांना विनंती की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या राजपत्रात
भाग-१, कोकण विभागीय पुरवणी भाग-१ मध्ये प्रसिध्द करावी व त्याच्या प्रत्येकी ०५ प्रती या
विभागास संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे, उपसंचालक, नगर रचना, कोकण
विभाग, कोकण भवन, नवी मुंबई व सहाय्यक संचालक नगर रचना, ठाणे शाखा यांना
पाठवाव्यात.)

✓ कक्ष अधिकारी (संगणक कक्ष) (नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.
(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित
करण्याबाबत आवश्यक ती कार्यवाही करावी)
निवडनस्ती (कार्यासन नवि-१२)

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.

Dated 13th September, 2010.

NOTIFICATION

Maharashtra
Regional & Town
Planning Act,
1966.

No. TPS-1208/1626/CR-392 /2008/UD-12:

Whereas, the Development Control Regulations for Mira-Bhayandar Municipal Corporation (hereinafter referred to as "the said Regulations") have been sanctioned by the Government under Section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Urban Development Department's Notification No.TPS-1298/941/CR-89/98/UD-12, dated 25th August, 2000, which came into force with effect from 15th October, 2000.

And whereas, the Regulation No.9 (Table No.3) of the said Regulations describes manner of development/redevelopment of land allocated, designated or reserved for certain purposes in the sanctioned Development Plan of Mira-Bhayandar Municipal Corporation. The said sub-regulations permit certain reservations to be developed by the owner under the concept of accommodation of reservation, subject to some conditions.

And whereas, there is no provision to develop the reservation of District Commercial Centre/Town Centre/Town Sub-centre under the above-mentioned concept of accommodation of reservation. It was necessary to change the Regulation No.53, regarding District Commercial Area (C-2 Zone) and for that purpose, it was proposed to modify the said Regulations accordingly.

And whereas, in view of powers vested under Sub-Section 1(AA) of Section 37 of the said Act, Government had issued notice of even No. dated 30th August, 2008 which appeared in Maharashtra Government Gazette dated 30/10/2008 on page Nos. 15 & 16 and also published in Daily Free Press Journal on dated 29/9/2008 (hereinafter referred to as "the said notice") regarding developing the reservation of District Commercial Centre/ Town Centre/ Town Sub Centre under the concept of Accommodation Reservation and changes in the Regulation No. 53 regarding user permissible in Commercial Zone (C2 Zone) (hereinafter referred to as "the said Modification") and thereby inviting suggestions/objections from the general public within a period of one month from the date of

publication of this notice in the official gazette. Govt. also appointed Dy. Director of Town Planning, Konkan Division having his office at Konkan bhavan, Navi Mumbai as an 'officer' under Sub-Section (1) of Section 162 of the said Act to submit his report to Government after scrutinizing the suggestions and objections so received over the proposed modification, say of the said Corporation and after granting hearing to the concerned persons including the said Corporation.

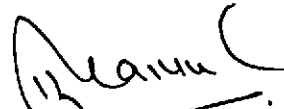
And whereas, the said officer has submitted his report to Govt. over the said modification on 17/7/2009.

And whereas, after consulting the Director of Town Planning, Maharashtra State, Govt. is of the opinion that the said modification should be sanctioned with some changes.

Now, therefore, in exercise of the powers vested under section 37(2) of the said Act, Govt. hereby-

- A) Sanctions the said modification as mentioned in the "Schedule" attached herewith.
- B) Fixes the date of publication of this notification in the government gazette as the date of coming into force of this modification.
- C) Directs the said Corporation to add new entry as per schedule enclosed herewith in the schedule of modifications appended to the Notification dated 25/8/2000 sanctioning the said Development Control Regulations, after the last entry.

By order and in the name of the Governor of Maharashtra,


(G.M. Walpe)
Section Officer

Note:

A) Copy of the sanctioned modification is kept open for inspection by the general public in working hours on all working days at the following offices -

- 1) Commissioner, Mira Bhayander Municipal Corporation, Thane.
- 2) Dy. Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai.
- 3) Asstt. Director of Town Planning, Thane Branch, Thane

B) This notice is also published on Department's web site at www.urban.maharashtra.gov.in

SECHEDULE

Accompaniment to Govt. Notification No. TPS 1208/1626/CR-392/08/UD-12 dated ¹⁴31 September, 2010.

- I) Following sub-regulation No. II(d) is added in Table-3 of regulation 9 of the said regulations.

Sr. No.	Use Allocation designation or reservation.	Person/Authority who may develop.	Conditions subject to which develop.
1	2	3	4
II)	<u>Commercial (C)</u> (d) District Commercial Centre/ Town Centre/ Town Sub-Centre.	Corporation or owner or Special Planning Authority. (SPA)	<p>The Corporation/ SPA may acquire the land and develop it for District Commercial Centre/Town Centre/ Town sub-centre.</p> <p style="text-align: center;">OR</p> <p>The owner may develop the District Commercial Centre/ Town Centre/ Town sub-centre on his agreeing to give 30 percent of the permissible builtup area along with appurtenant land for the District Commercial Centre/ Town Centre/ Town sub-centre as per the requirement of the Municipal Commissioner/ SPA to Corporation/ SPA free of cost, for the users permissible in C1/C2 zone. The owner thereafter will be entitled to have the permissible FSI of the plot for other permissible uses of C1/C2 Zone without taking into account the builtup area of District Commercial Centre/ Town Centre/Town sub-centre to be handed over to Corporation.</p> <p>The owner/developer shall be allowed to use TDR on 70% land (i.e. the remaining area after deducting 30% built up area along with appurtenant land from total plot area) subject to FSI consumption limit of 2.00 (two) on the entire plot.</p>

- II) Regulation No.53 is proposed to be deleted & substituted by following -

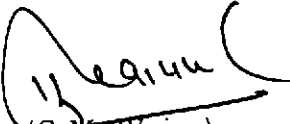
53. District Commercial Area/Zone (C-2 Zone):

Buildings or premises shall be used only for the uses & purposes given in Regulation No.52 subject to conditions as mentioned in 52.2.

53.1 Uses permitted in a District Commercial Zone (C-2 Zone) -
The following uses are permissible in C-2 Zone -

- (i) Area to the extent of 40% of permissible floor area, shall be developed for following users, as per the specification of the Corporation.
 - a) Wholesale Establishment not exceeding 200 sq.mt. for commodities other than those prohibited by any statute or rule. (This will be applicable to non congested area only)
 - b) Public utility building.
 - c) Headquarters of a Commercial organization or firm.
 - d) Printing, book binding engraving and block making.

On the remaining 60% of the permissible floor area, uses permissible in a local Commercial Zone (C-1 Zone) shall be permissible provided that, the extent of residential use shall not exceed 30% of the permissible floor area.


(S.M. Wajpe)
Section Officer